

**Clark County Comprehensive Plan Update  
RESPONSE TO DEIS COMMENTS  
Position Statement 3,  
ENVIRONMENT/WATER QUALITY**

Several comments mentioned the effects the various alternatives might have on the environmental quality of the county, including impacts to fish and wildlife habitat, water quality, wetlands, and groundwater.

RCW 36.70A.020 contains the 13 planning goals of the GMA. Goal 9 encourages the retention of open space and development of recreational opportunities, the conservation of fish and wildlife habitat, and increasing access to natural resources lands and water, and the development of parks. Goal 10 requires the protection of the environment and the enhancement of the state's high quality of life, including air and water quality, and the availability of water. RCW 36.70A.170(d) requires the county to designate critical areas. RCW 36.70A.030(5) defines critical areas to include wetlands; areas with a critical recharging effect on aquifers used for potable water; fish and wildlife habitat conservation areas; frequently flooded areas; and geologically hazardous areas. RCW 36.70A.060(2) states that each county and city develop regulations that protect designated critical areas. RCW 36.70A.172 requires that policies and regulations protect the functions and values of designated critical areas, that such policies be based on best available science, and that special consideration be given to conservation or protection measures to preserve or enhance anadromous fisheries. RCW 36.70A.175 requires that wetlands be delineated.

The county has designated its critical areas, and has an ordinance to address each of the five types listed in the GMA. Specifically:

- Chapter 13.36 deals with wetlands protection
- Chapter 13.51 deals with habitat conservation
- Chapter 13.60 deals with geologic hazard areas
- Chapter 13.70 deals with critical aquifer recharge areas
- Chapter 18.327 deals with flood plains

Critical Areas Conservation Programs

Fish and Wildlife Habitat. The county's habitat conservation ordinance was adopted in 1997 and was the result of an effort to strengthen the protective measures contained in the old vegetation clearing regulations. The stated purpose of the ordinance is to protect environmentally distinct, fragile and valuable fish and wildlife habitat areas for present and future generations while also allowing for reasonable use of private property.

In addition to the habitat ordinance, the county's ESA program is working on an assessment protocol to be used to predict when the individual or cumulative effects of land uses might cause a significant negative impact on the environment. The protocol will identify natural watershed-wide processes, their inter-relationships reach by reach, and how they might be degraded by human activities. The protocol will be designed to associate the watershed processes with the various environmental mandates imposed by the state and federal governments on Clark County and the jurisdictions within it. The use of a standardized assessment protocol may streamline permitting, promote efficient monitoring and focus restoration and mitigation projects.

Stormwater and erosion control. The county is required by federal and state regulation to reduce the harm to streams caused by urbanization. Engineered stormwater controls such as large detention ponds to slowly meter out storm runoff and grassy swales to trap pollutants are being used. More recently, research has focused on protecting streams by not removing forest and soils during development and retaining a relatively high proportion of the stream drainage area in forest. Other techniques involve designing projects so that runoff is drained into vegetated areas where it can infiltrate to groundwater. It has also been recognized that stormwater (non-point) runoff degrades streams by flushing pollutants from roads, businesses, industrial facilities, and residences. The volumes of water running off paved area also wash away streambed sediments and the creatures that live there. In order to begin to address this problem, a set of regulations was added to the Clean Water Act in 1987 to decrease problems caused by stormwater runoff. The Clark County Stormwater Management Program is a direct response to that mandate.

Much of the county was developed without stormwater control facilities to prevent pollution and excessive amounts of runoff from harming streams. Ultimately, the stormwater program is expected to build stormwater control facilities and stream restoration projects to address the short fall in stormwater control facilities. The program is beginning to plan and build projects using stormwater fees from each home, business and government property in unincorporated Clark County.

To minimize erosion from land development and land-disturbing activities, the County adopted an erosion control ordinance in 1993. In July of 1999, the Washington Department of Ecology issued Clark County a National Pollutant Discharge Elimination System and State Waste Discharge permit. This permit required the County to adopt more stringent erosion control regulations (CCC Chapter 13.29). In 2001, the Department of Ecology published its Stormwater Management Manual for Western Washington. Renewal of the County's existing NPDES permit will require an update to the County's Stormwater and Erosion Control Ordinance for substantial equivalence with the new manual.

Floodplains. In 1977, the County adopted a flood plain management ordinance. Of the County's 86 Flood Rate Insurance Maps (FIRM), more than half were prepared in 1982. Nearly 90% of the maps are dated prior to 1986. Clark County, in partnership with FEMA is currently working on updating these flood maps and expects to complete this work within the next 2 to 5 years depending on Federal funding availability. Recent changes were made to the floodplain ordinance at the suggestion of DOE to bring the ordinance into compliance with federal requirements.

Geohazards. The county's geohazard ordinance was enacted in 1997. Maps have been produced showing earthquake potential and steep slopes with the susceptibility to landslides and erosion. Seismic hazard vulnerabilities throughout the County are to be mapped and updated, utilizing new science technology in the identification of specific types of seismic activity, and the damages that could occur. New, more stringent and relevant seismic codes will be incorporated into the permitting and building ordinances as necessary.

Wetlands. The county's wetland protection ordinance was adopted in 1992 and significantly updated in 2000. The stated purposes of the ordinance are to:

- Further the goal of no net loss of wetland acreage and functions;
- Encourage restoration and enhancement of degraded and low quality wetlands;
- Provide a greater level of protection for higher-quality wetlands;

- Maintain consistency with federal wetland protective measures;
- Avoid over-regulation by limiting regulatory applicability to those development proposals which significantly impact important wetlands; and
- Minimize impacts of wetland regulation on private property rights.

The County has a classification system that rates wetlands from Category 1 to Category 5 based on their characteristics. Development proposals involving wetlands often need review by the Army Corps of Engineers (under Section 404 of the Clean Water Act) and the State Department of Ecology.

#### DEIS Critical Area consideration

The assessment of any development proposal generally assumes mitigation measures that are already in place. In this case, the county's critical areas ordinances and its stormwater and erosion control ordinance are regulations already in place that apply to any and all types of development on unincorporated lands within the county.

Critical areas were considered in several ways during the development of alternatives discussed in the DEIS on the comprehensive plan. Consideration of critical areas began with the exclusion of potential residential and commercial lands with more than 50 percent critical area from the vacant and buildable lands model (VBLM). Some currently-designated industrial lands were excluded for the same reason. The VBLM focused on unincorporated lands within current urban growth boundaries, and served as a starting point for estimating land available for development that was not environmentally constrained.

LRP staff consulted with the ESA Program staff early in the process to determine if there were areas of the county that should be avoided because they are considered critical to recovery efforts for listed fish species. Several important stream systems were discussed, such as Salmon Creek, Cedar Creek, the East Fork of the Lewis River and the Washougal River. It was decided that no areas warranted outright exclusion from consideration for the comprehensive plan update process because of the critical areas ordinances and other development regulations already in place.

LRP staff made several sets of field trips to view first-hand urban reserve lands, site specific requests, parcels that border current urban growth boundaries, and parcels that because of location were possible additions to urban growth areas. One of the goals was to generally check parcels of interest against critical lands information. This information was used for the general assessment of the effects of the five DEIS alternatives on the environment, which included number of acres of critical areas, the amount of possible impervious surface, air quality impacts, and potential effects on watersheds as measured by the number of stream miles included.

Those providing comments were:

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